

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER: 09/882,703

FILING OR 371 (c) DATE: 06/14/2001

FIRST NAME APPLICANT: HEINRICH FOLTZ

**RENEWED PETITION UNDER 37 CFR 1.137 (b)**

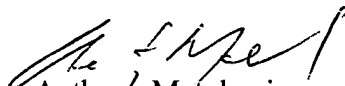
Dear Sirs;

Pursuant to your notice dated February 3, 2010 we are filing under 37 CFR 1.137 this petition to renew. In support of this petition shows files the following:

1. The \$40.00 dollars balance is enclosed;
2. The required reply to this notice is attached to this petition.

Please considerate the decision of the above applicant to be renewed the application and we apologize by the petition fee deficiency but it was unintentional.

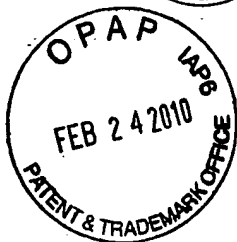
Respectfully Submitted,

  
Anthony Matulewicz  
Patent Reg. No. 45,375.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)



ANTHONY MATULEWICZ  
MATULEWICZ & ASSOCIATES, P.C.  
521 S. BROADWAY ST.  
MCALLEN, TX 78539

COPY MAILED

FEB 03 2010

In re Application of  
Heinrich Foltz, et al.  
Application No. 09/882,703  
Filed: June 14, 2001  
Attorney Docket No. None

ON PETITION

This is a decision in response to the petition, filed November 13, 2009, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is dismissed because it lacks the required petition fee pursuant to 37 CFR 1.17(m).

Petitioner submitted a fee of \$770; however, the small entity fee required for treatment of a petition under 37 CFR 1.137(b) is \$810. It is noted that there is no authorization found in the papers filed November 13, 2009 to charge any fee deficiency. No consideration on the merits can be given to the petition until the \$40 balance of the petition fee is received.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include the \$40 petition fee deficiency and a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Adjustment date: 02/25/2010 CCHAU1  
11/17/2009 MBLAND 00000012 09882703  
01 FC:1999 -770.00 OP

02/25/2010 CCHAU1 00000003 09882703

01 FC:2453 810.00 OP

Application No. 09/882,703

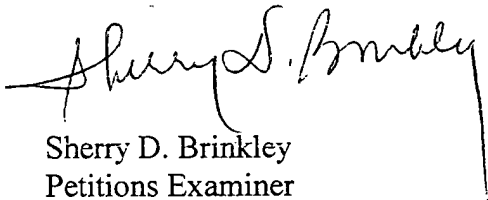
Page 2

By hand: Customer Service Window  
Mail Stop Petitions  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By fax: (571) 273-8300  
ATTN: Office of Petitions

By Internet: EFS-Web<sup>1</sup>

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

A handwritten signature in black ink, appearing to read "Sherry D. Brinkley", with a long vertical line extending downwards from the end of the signature.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions

---

<sup>1</sup> [www.uspto.gov/ebs/efs\\_help.html](http://www.uspto.gov/ebs/efs_help.html) (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)